

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1 and 4-13 are now present in the present application. Claims 1, 6, 8, 10 and 12 have been amended. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

Interview With The Examiner

An interview was conducted with the Examiner in charge of the above-identified application on June 29, 2005. Applicant greatly appreciates the courtesy shown by the Examiner during the interview.

In the interview with the Examiner, the Examiner indicated that if Applicant agrees to amend claim 1 to recite "the rotary tray being directly fastened to and non-movable relative to the holding section", claim 1 would overcome the 103 rejection in the instant Office Action.

Claim Objections

Claims 8 and 10 have been objected to due to the presence of minor informalities. In view of the foregoing amendments, in which the Examiner's helpful suggestions have been followed, it is respectfully submitted that this objection has been addressed. Reconsideration and withdrawal of this objection are respectfully requested.

Claim Rejections Under 35 U.S.C. §112

Claims 6 and 10 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

In view of the foregoing amendments, in which the Examiner's helpful suggestions have been followed, it is respectfully submitted that this rejection has been addressed. Accordingly, all pending claims are now definite and clear. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1 and 4-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McAllister, U.S. Patent No. 6,086,034, in view of Smeenge, U.S. Patent No. 4,616,798. This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicant respectfully submits that this rejection has been obviated and/or rendered moot. As the Examiner suggested, independent claim 1 has been amended to recite a combination of elements including "the rotary tray being directly fastened to and non-movable relative to the holding section". Support for the above combination of elements can be found in FIG. 2 of the instant application. Applicant respectfully submits that the above combination of elements as set forth in amended independent claim 1 is not disclosed nor suggested by the references relied on by the Examiner.

McAllister discloses an adjustable mouse tray. The Examiner on page 3 of the instant Office Action referred to the round element above the element 68 as the rotary tray and referred to the combination of elements 64, 44 and 108 as the holding section #2. However, McAllister fails to teach that the round element is directly fastened to and non-movable relative to the holding section #2. Therefore, McAllister fails to teach the above combination of elements as recited in claim 1.

With regard to the Examiner's reliance on Smeenge, this reference has only been relied on for its teachings related to the nut and the bolt. This reference also fails to disclose the above combination of elements as set forth in amended independent claim 1. Accordingly, this reference fails to cure the deficiencies of McAllister.

Accordingly, neither of the references utilized by the Examiner individually or in combination teaches or suggests the limitations of amended independent claim 1 or its dependent claims. Therefore, Applicant respectfully submits that claim 1 and its dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

CONCLUSION

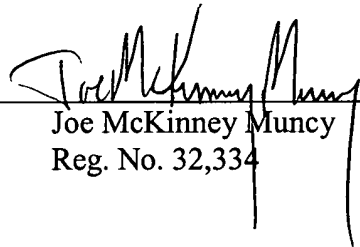
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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